

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERMA WOODHULL, Personal
Representative of the Estate of
Michael Woodhull, Deceased,

Case No. 1:04-cv-203
Hon. Wendell A. Miles

Plaintiff,

v.

COUNTY OF KENT, LAWRENCE A. STELMA,
SHERIFF; CORNERSTONE COMMUNITY
MENTAL HEALTH SERVICES, RYAN
VEENEMAN, THE FAMILY OUTREACH
CENTER, NANCY SQUIRES, R.N.,
GWEN LANSER, R.N., TAMMY SYSWERDA,
R.N.; CATHERINE WHITE, R.N.; DAVID
CARREL, D.O.; NASIM YACOB, M.D.; AND
CORRECTIONAL MEDICAL SERVICES, INC.,
jointly and severally,

Defendants.

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ORDER

This matter came to be heard upon the joint motion of the parties pursuant to Fed. R. Cir P. 60(b), as contemplated in First National Bank of Salem, Ohio v. Hirsch, 535 F.2d 343 (6th Cir. 1976) asking this Court to indicate that it is disposed to grant a Motion to Approve Settlement of Plaintiff's Wrongful Death Action in exchange for execution of a Release and Settlement of All Claims and dismissal of the pending appeal to the Sixth Circuit Court of Appeals and indicating

this Court's willingness to timely schedule this matter for hearing on Plaintiff's Motion to Approve Wrongful Death Settlement and for Authority to Distribute Settlement Proceeds on Remand;

Considering the parties desire to settle and the entire record, the Court is of the opinion, and so finds, that should the case be remanded to it by the Court of Appeals for the Sixth Circuit, this Court is inclined to grant the relief requested.

IT IS, THEREFORE, ORDERED BY THE COURT that if this case is remanded to the District Court by the Court of Appeals, this Court is disposed to grant the parties' 60(b) motion.

ENTERED this 5th day of February, 2007.

/s/ Wendell A. Miles

Wendell A. Miles
Senior U.S. District Judge